

## **REMARKS**

Claims 1-53 are pending in the application. Claims 20, 21, and 38 have been amended to overcome informalities identified in the Office Action, but have not been amended substantively. The amendments are fully supported by the application as originally filed.

Claims 20 and 21 were objected to, and have been amended to overcome the claim objections in the manner recommended by the Examiner.

Claim 38 was rejected under 35 USC 112, second paragraph, as being indefinite. Claim 38 has been amended to depend from claim 36, as recommended by the Examiner. Withdrawal of the rejection is respectfully requested.

Claims 1-24, 28-47, and 51-53 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent Application Publication US 2006/0238877 to Ashkenazi et al. ("Ashkenazi"). Claims 25-27 and 48-50 were rejected under 35 USC 103(a) as being unpatentable over Ashkenazi in view of U.S. Patent Application Publication US 2004/0252277 to Chmielewski et al. These rejections are respectfully traversed.

A Declaration under 37 CFR 1.132 is submitted herewith, thereby obviating the rejections involving the Ashkenazi reference. Therefore, these rejections will not be addressed substantively.

Claims 1-3, 6-8, 14, 18-22, 31-38, 40, and 42-46 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,526,089 to Sato et al. ("Sato"). This rejection is respectfully traversed.

Independent claims 1 and 34 of the subject application are directed to a system and method for tracking the eye of a user, including an image detector and a pupil-illuminating light source, "at least a portion of each said pupil-illuminating light beam being aligned with at least a

portion of the optical axis of said image detector, each said pupil-illuminating light beam at least partially illuminating the pupil of said eye" (claim 1; *see also* claim 34).

For example, referring to FIG. 1 of the application, a light source 106 emits an illuminating light beam 122 that is concentric with an optical axis of a camera module 102 (see specification at page 17, lines 7-10). A portion of the illuminating light beam 122 is reflected back from the pupil 134 of the eye 120 to an image sensor of the camera module 102, such that the pupil 134 appears as a bright spot in the image detected by the camera module 102 (see specification at page 17, lines 10-14).

Regarding the rejection of independent claims 1 and 34 over Sato, the Sato reference does not teach or suggest a system or method for tracking the eye of a user in which at least a portion of a pupil-illuminating light beam is aligned with at least a portion of an optical axis of an image detector, the pupil-illuminating light beam at least partially illuminating the pupil of the eye (see claims 1 and 34).

On page 5, last paragraph of the Office Action of 03/20/2007, light sources 120 of Sato were cited as allegedly corresponding to the Applicants' claimed "at least one pupil-illuminating light source."

In Sato, a plurality of light sources 120 are positioned around an eyepiece lens 112 "for detecting the boundary between the pupil and the iris" (see column 4, lines 42-45 of Sato). A light source selecting unit 12 of Sato selects the light sources to be used from among the plural light sources 120, in order to detect a position of the pupil center (see column 4, line 65 to column 5, line 3). As shown in FIG. 5 of Sato, the pupil is detected as a dark region in the image of the eye (*see also* column 5, lines 42-49).

There is no teaching of suggestion in Sato of a pupil-illuminating light beam that at least partially illuminates the pupil of the eye. In Sato, the pupil center is detected as a dark region (see, e.g., FIG. 5).

Further, there is no teaching or suggestion in Sato that at least a portion of each pupil-illuminating light beam is aligned with an optical axis of an image detector *as claimed* (see, e.g., independent claim 1).

For at least the reasons discussed above, the Sato reference does not anticipate or otherwise render obvious the Applicants' claimed invention. Therefore, independent claims 1 and 34 and their respective dependent claims are patentable over Sato.

Independent claim 52 was not rejected over the Sato reference, and thus claims 52 and 53 should be in condition for allowance.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

/Steven M. Jensen/

Date: September 20, 2007

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